



AFI 80

PATENT

ATTORNEY DOCKET NO. 50026/012003

Certificate of Mailing: Date of Deposit: July 24, 2006

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Michael Reisman

Printed name of person mailing correspondence

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ozawa et al.

Confirmation No.: 6387

Serial No.: 09/905,592

Art Unit: 1636

Filed: July 13, 2001

Examiner: G. Guidry

Customer No.: 21559

Title: GENE THAT IMPARTS SELECTIVE PROLIFERATIVE ACTIVITY

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

07/28/2006 BABRAHA1 00000036 09905592

01 FC:2401

250.00 0P

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND
INTERFERENCES UNDER 37 C.F.R. § 41.31

Applicants respectfully appeal to the Board of Patent Appeals and Interferences from the decision dated January 26, 2006, in which the Office finally rejected claims 5, 6, 8, 10, 12, 15, 17, and 19-24 of the above-captioned patent application.¹

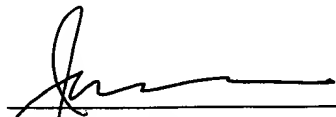
Further to the Petition for Extension of Time filed on June 26, 2006, enclosed pursuant to 37 C.F.R. § 1.136, is a Petition to extend the period for replying to the final rejection for an additional month (a total of three months), to and including July 26, 2006.

¹ Applicants note that claim 10 was canceled in Applicants' November 4, 2005 reply.

Also enclosed is a check in the amount of \$250.00 for the fee required by 37 C.F.R. § 41.20(b)(1) for this Notice of Appeal. If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 24 July 2006



James D. DeCamp, Ph.D.
Reg. No. 43,580

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045